

REMARKS/ARGUMENTS

The Examiner has delineated the following claims as being directed to patentably distinct inventions.

Group I: Claims 1-12, drawn to an aqueous dispersion.

Group II: Claims 13-16, drawn to a process for the production of an aqueous dispersion.

Group III: Claims 17 and 18, drawn to powder products.

Group IV: Claims 19-29, drawn to a process of preparing a product using said aqueous dispersion.

Applicant provisionally elect Group I, Claims 1-12 and the species of Claim 20 with traverse in view of the following arguments why all the claims should be examined together.

The claims of Group I are integrally linked with the claims of Group II as process of making and the product made by using said process and should be examined together. There is a commonality that exists between the Groups. It is a technical relationship that involves the same feature, and it is this feature that defines the contribution which each of the Groups taken as a whole makes over the prior art. Claims to the necessary process for producing the claimed product of the process must be examined along with the claims to the elected invention MPEP 809.

The Examiner simply alleges that the process claimed can be used to make other products or that the products can be made by another method. The Examiner in the restriction requirement states that the product may be made by a process wherein the silicon dioxide and cation-providing compounds are added to a mass of crushed ice which is mixed to induce blending and provide an aqueous product. However the Examiner simply alleged such a process and has failed to cite any references to support his allegation. To simply


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allege a different product/process is not sufficient to suggest separate inventions, and the Office has failed to show that a burden exists in searching all of the claims.

For the reasons set forth above, Applicants request that if the elected invention is found allowable, withdrawn claims which include all the limitations of the allowable claims be rejoined.

Respectfully submitted,

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